Revision of the rules relating to the Representative Assembly and the Legislative Council.

READ—

Government Order No. 1601-18—L. C. 32-26, dated 20th May 1927, appointing a Committee to revise the rules relating to the Representative Assembly and the Legislative Council.

2. Report of the Committee submitted with letter No. Rel. 921, dated 11th June 1928.

ORDER THEREON NO. Rel. 484-507—R. A. 46-28-2, DATED 17TH DECEMBER 1929.

In response to a resolution moved in the Legislative Council in February 1927, a Committee composed as noted in the margin was appointed by Government to examine the rules relating to the Representative Assembly and Legislative Council and to make recommendations with a view to their amendment.

1. Rajasabhabhushana K. Chandy (Chairman).
2. B. Nagappa, Esq., Bar-at-Law.
3. B. Narasinga Rao, Esq.
4. C. Subba Rao, Esq., B.A., B.L.
5. A. Krishna Rao, Esq., B.A., B.L.
6. S. P. Rajagopalachari, Esq., B.A., B.L.
7. D. V. Gundappa, Esq.
8. Khan Bahadur Mohamed Abbas Khan.
9. R. Ranga Rao, Esq., B.A., B.L.
10. N. S. Subba Rao, Esq., M.A., Bar-at-Law.

2. The terms of reference to the Committee were:—

(i) to inquire into the difficulties arising from or defects inherent in the working of the rules and standing orders made under the Mysore Representative Assembly Regulation, 1923, and the Mysore Legislative Council Regulation, 1923, and

(ii) to investigate the feasibility and desirability of securing remedies for such difficulties or defects consistently with the structure, policy and purpose of the Representative Assembly and Legislative Council Regulations and the policy laid down by His Highness the Maharaja's Proclamation of 27th October 1923

(*a*) by action taken under the rules and standing orders, or

(*b*) by such amendments of the rules and standing orders as appear necessary to rectify any administrative imperfections.

(iii) to suggest measures for improving the method of publication of the proceedings of the Representative Assembly and the Legislative Council.

3. The Committee commenced its work in November 1927 and submitted its report in June 1928. The report contains a summary of the Committee's recommendations which are in the form of two Manuals, one for the Representative Assembly and the other for the Legislative Council, incorporating therein revised Rules and Standing Orders for the Representative Assembly and the Legislative Council as proposed by the Committee. The Committee have devoted much time and thought to the work assigned to them and their report has been of great assistance to the Government in dealing with the various proposals which have been made for revising the rules of the two Constitutional Houses. The Government desire to convey their acknowledgments to the Chairman and the members of the Committee for their valuable report.

4. Government have considered the recommendations of the Committee and are now pleased to pass the following orders:—

5. Briefly, the recommendations of the Committee aim at extending the franchise amending the rules, regulating elections and the decision of election disputes, widening the range of subjects for discussion and improving generally the course and conduct of business in the two Houses.

6. The extension of the franchise proposed by the Committee consists in the inclusion of Pleaders in the Legal Interests Constituency of the Representative Assembly of title-holders in the Rural and Urban Constituencies of the Legislative Council as well as of the Representative Assembly and of registered graduates in the University Constituency of the Legislative Council. Government accept these proposals, subject to the franchise in the case of the constituency last mentioned being limited to registered graduates of not less than seven years' standing as in British India. They have already amended the rules, and the voters' lists for the ensuing general elections have also been prepared accordingly.

7. The need for requiring candidates standing for election to the Representati Assembly and the Legislative Council to furnish deposits liable to forfeiture in cert Contingencies, has been repeatedly brought to the notice of Government through r lutions both in the Representative Assembly and the Legislative Council and

also endorsed by the Committee. Government have therefore decided to introduce this system and to issue the necessary rules on the lines suggested by the Committee.

8. The present arrangement by which disputes arising out of the Representative Assembly elections are decided by the Deputy Commissioner and those arising out of the Legislative Council elections, by the District Judge, subject to an appeal to Government in the one case and with no appeal in the other, has been felt to be defective. The Committee's proposal is that like the petitions relating to the Legislative Council elections, those relating to the Representative Assembly elections should also be heard and determined by the District Judges and that provision should also be made in both cases for an appeal to the Chief Court if any points of law are involved. Government are pleased to accept this recommendation and also approve of the detailed rules framed by the Committee in that behalf.

9. The system of postal voting is, as observed by the Committee, liable to abuse and will be abolished.

10. While non-official members have been permitted to introduce Bills in the Legislative Council, there is now no specific provision for the general principles of such Bills being placed before the Representative Assembly as there is in the case of Bills introduced by Government. This omission has been pointed out by the Committee and the rules proposed by them in this behalf are acceptable to Government and will be adopted.

11. The proposal of the Committee that the duration of the Dasara and the Budget Sessions of the Assembly may be extended to ten and eight days respectively requires no orders, in view of the discretion to extend the term of any Session, vested in the President and usually exercised by him when necessary.

12. The holding of special Sessions of the Assembly on the requisition of non-official members and the transaction of non-official business at such sessions are not in consonance with the generally accepted constitutional practice. Government regret that they cannot agree to the amendments to the rules of business proposed by the Committee in these directions.

13. The Committee suggests that not less than two days should be allotted exclusively for non-official business at each session of the Legislative Council. But a hard and fast rule of this kind may not only be unworkable but also prove to be of doubtful advantage even from the non-official point of view. The number of days that can be allotted for non-official business has necessarily to be determined for each session with due regard to the volume of Government business to be got through in the course of the session compatibly with the public interests.

14. The Committee has recommended that important Questions, Resolutions and Representations for the Representative Assembly which are not selected at the preliminary meetings held by the Deputy Commissioner in each District and which may not relate to Minority or Special Interests may also be admitted by the President at his discretion. Government are not inclined to accept this recommendation. The general rule now is that only those subjects that receive the largest measure of support from the members present at the preliminary meeting are to be selected for inclusion in the agenda, but at the discretion of the President other subjects affecting minority or Special Interests may also be admitted. With a view to securing definiteness and uniformity of practice in this respect, it appears to Government that the scope of the concession in the matter of sending up subjects other than those selected at the preliminary District Meetings should be defined and they have accordingly decided that a member representing a Minority or Special Interest may be permitted to send up not more than two Questions, one Resolution, and two Representations concerning the interests represented by him, if they are otherwise unobjectionable.

15. Such amendments to the electoral rules and rules of business as are necessary for giving effect to the foregoing decisions will be notified separately. The procedure suggested by the Committee for amending the Standing Orders of the Representative Assembly commends itself to Government and the Assembly will be moved in due course to accord its approval to it.

16. Government have noted for consideration at a suitable opportunity, the recommendation of the Committee that (*a*) Aided Education, (*b*) Maternity and Child Welfare, and (*c*) Indigenous Medicine, may be recognised as Special Interests requiring representation in the Assembly.

17. The question of introducing legislation on the lines of the Indian Election Offences and Inquiries Act of 1920, is reserved for further consideration.

18. The measures proposed by the Committee for expediting the publication of the proceedings of the Representative Assembly and the Legislative Council will be further examined and carried into effect as far as possible.

P. MAHADEVAYYA,
Secretary to Government,
Law Department.

GENERAL SECRETARIAT.

Passes orders about the formation of the Bureau of Sanitary Engineering in the Health Department.

READ—

Correspondence ending with letter No. T. 70, dated the 21st August 1929, from Dr. W. C. Sweet forwarding a copy of letter from Dr. V. G. Heiser and the minutes of the Meeting of the Scientific Directors held on the 10th July 1929 dealing among other matters with the question of the Bureau of Sanitary Engineering proposed to be established in connection with the comprehensive scheme of health work in the State.

2. Letter dated the 28th September 1929, from the same officer, forwarding a draft budget for the Bureau of Sanitary Engineering from 1st January to 30th June 1930.

3. Para 5 of Government Order No. G. 6680-730—San. 55-27-34, dated 28th November 1929, sanctioning the reorganization of the Health Department about the formation of the Bureau of Sanitary Engineering.

ORDER NO. G. 7367-81—SANY. 31-29-9, DATED 18TH DECEMBER 1929.

The question of starting a Bureau of Sanitary Engineering of the Department of Health has been under the consideration of Government since January 1929. In February 1929, Dr. Sweet forwarded a scheme in the matter, the main features of which were—

(*a*) transfer of all staffs, work and budget of the Sanitary, Town Planning and Water Supply Divisions of the Public Works Department to the new Bureau of Sanitary Engineering of the Department of Health,

(*b*) provision of two fellowships in Sanitary Engineering during the years 1931 and 1932,

(*c*) eventual annual provision of a sum of Rs. 30,000 for the Bureau of Sanitary Engineering in addition to the budgets to be transferred from the Public Works Department, and

(*d*) provision of a sum of Rs. 10,000 during the 1st year for the purchase of permanent equipment.

2. He has also reported that in the event of Government agreeing to the above arrangements, the Rockefeller Foundation would be prepared—

(1) to lend the services of a Sanitary Engineer from about the 1st of January 1930 to 31st Decemcer 1933, and

(2) to contribute Rs. 27,000 to the additional budget of the Bureau of Sanitary Engineering for the years 1929-30, 1930-31 and 1931-32 as detailed in the margin.

1930	...	13,500
1931	...	9,000
1932	...	4,500

3. Government are in general agreement with the scheme outlined above. The need for a Bureau of Sanitary Engineering has already been recognized in the Government Order dated the 28th November 1929 sanctioning the reorganization of the Health Department and the details of work to be assigned to it have also been